IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

P.I.L. NO. 61 OF 2006

Mahesh Anant Kalingan. .. Petitioner.

vs.

State of Maharashtra

& Ors. .. Respondents.

Mr. A.J. Uniyal for the petitioner.
Mr. K.R. Belosey, Off. R.P. for R. No. 1.
Mrs. P.A. Purandare for Respondent No. 2.
Mr. J.P. Dubey for Respondent Nos. 4 & 5.

..

Coram: J.N. PATEL, ACTING C.J. &
V.C. DAGA, J.
Date: 15th March, 2007.

P.C.

. Heard.

2. The petitioner has approached this Court in public interest impugning the proposed decision of cancellation of reservation of secondary school and playground on the F.P. Nos. 169 and 170 of T.P.S. III, Borivali (West) by respondent no. 2. In response

to the petition, respondent nos. 1 and 2 as well as other respondents have filed their affidavits. In so far as respondent nos. 1 and 2 are concerned, it is specifically mentioned in their affidavits filed by Mr. Sanjay Raghunath Kurvey, Deputy Director of Town Planning of Respondent No. 2 and of J.S. Khanolkar, the Chief Engineer, of respondent no. 2 that there is no such move on the part of the authorities and that the reservation for the secondary school and playground as notified under Town Planning Scheme is retained and the application made by respondent No. 5 Siddhivinayak Builders for deletion of the reservation of playground on the Final Plot No. 170, T.P.S. III, Borivali has been rejected. In view of this, we need not pass any orders as there is no move on the part of the authorities to dereserve the plot reserved for playground and secondary school.

3. Petition stands disposed of accordingly. No order as to costs.

ACTING CHIEF JUSTICE

V.C. DAGA, J.